

WILBORN LAW OFFICE, P.C.  
TIM WILBORN, Attorney at Law — OSB #944644  
[twilborn@mindspring.com](mailto:twilborn@mindspring.com)  
P.O. Box 2768  
Oregon City, OR 97045  
Voice: (503) 632-1120; Fax: -1198  
Attorney for Plaintiff

UNITED STATES DISTRICT  
COURT DISTRICT OF OREGON

**MICHAEL WORTHINGTON,**

CV # 09-51-JE

Plaintiff,

vs.

ORDER

**COMMISSIONER of Social Security,**

Defendant.

Reasonable attorney fees in the amount of \$12,948.75 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). If Plaintiff's attorney also receives fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, Plaintiff's attorney may retain only the larger of the two fees received. When issuing the § 406(b) check, the agency is directed to subtract any amount previously paid to Plaintiff's attorney pursuant to the EAJA, and to send to Plaintiff's attorney **at his current address shown above** the net balance, minus any user fee. Any amount withheld (including the EAJA fee offset) after all administrative and court attorneys fees are paid should be released to the claimant.

DATED this 14<sup>th</sup> day of October, 2010.

s/ John Jelderks

JOHN JELDERKS

United States Magistrate Judge

Presented by:

s/ Tim Wilborn, OSB #  
944644 (503) 632-1120  
Attorney for Plaintiff